



# राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खण्ड 18]

शिमला, शनिवार, 12 दिसम्बर, 1970/21 अग्रहायण, 1892

[संख्या 45

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12 दिसम्बर, 1970/21 अग्रहायण, 1892 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'असाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. 4-5/70-Elec., dated the 7th December, 1970.	Election Department	The Himachal Pradesh Gram Panchayat (Election) Rules, 1970.
No. 14-7/66-Home, dated the 13th August, 1970.	Home Department	Authorising the carrying out of field firing and artillery practice by the Army authorities.
No. 14-11/62-LSG., dated the 28th November, 1970.	Local Self Government Department	Imposition of rates of octroi by the Municipal Committee, Theog.
No. 7-2/69-PNT-Sectt. (I), dated the 8th December, 1970.	Panchayats Department	Establishment of Gram Sabha Circles in Sirmur district.
No. 7-2/69-PNT-Sectt. (I), dated the 8th December, 1970.	-do-	Exclusion of Villages from the Gram Sabha in Sirmur district.
No. 4-5/70-Elec., dated the 9th December, 1970.	Election Department	Publication of Errata for the Gazette of Himachal Pradesh, Extra ordinary issue dated the 7th December, 1970.
No. 4-7/70-Elec., dated the 9th December, 1970.	-do-	Appointment of Director of Elections (Local Bodies), Himachal Pradesh for the purpose of Himachal Pradesh Gram Panchayat (Election) Rules, 1970.
No. 4-7/70-Elec., dated the 9th December, 1970.	-do-	Appointment of Director of Elections (Local Bodies), Himachal Pradesh for the purpose of Himachal Pradesh Panchayat Samitis (Election) Rules, 1970.
No. 4-7/70-Elec., dated the 9th December, 1970.	-do-	Appointment of Director of Elections (Local Bodies), Himachal Pradesh for the purpose of Himachal Pradesh Zila Parishad (Election) Rules, 1970.
No. 4-8/70-Elec., dated the 9th December, 1970.	-do-	Appointment of all the Sub-Divisional Officers (Civil) in Kangra district to perform the functions of the Deputy Commissioners within their respective Sub-Divisions under the Gram Panchayat (Election) Rules, 1970.

**भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के उप-राज्यपाल और हिमाचल बेंच आफ देहली हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि**

**हिमाचल प्रदेश सरकार**

**APPOINTMENT DEPARTMENT  
NOTIFICATIONS**

*Simla-2, the 28th November, 1970*

**No. 11-9 66-Appptt.**—In exercise of the powers vested in him under section 14 of the Code of Criminal Procedure, 1898 (Act V of 1898), the Administrator (Lieutenant Governor), Himachal Pradesh, in consultation with the High Court of Delhi, is pleased to confer upon Shri N. S. Shandil, Senior Subordinate Judge, Mahasu at Simla, the powers of Special Magistrate in respect of all Special Police Establishment cases to be exercised within the limit of Mahasu, Sirmur, Mandi, Lahaul-Spiti and Chamba (excluding Dalhousie, Baloon and Bakloh areas) districts in Himachal Pradesh.

2. The powers conferred on Shri A. W. Bhoil, vide notification of even number, dated 9-9-1969 are hereby withdrawn.

3. This notification will not, however, effect the trial of case No. RC-5/61-Ambala by Shri R. N. Mahotra, Special Magistrate, as mentioned in Himachal Pradesh Government notification No. 1-12/62-Vig., dated the 12th May, 1967, read with the notification of the same number dated the 5th June, 1967.

*Simla-2, the 28th November, 1970*

**No. 11-9 66-Appptt.**—In exercise of the powers vested in him under section 14 of the Code of Criminal Procedure, 1898 (Act V of 1898), as amended by the Punjab Separation of Judicial and Executive Functions Act, 1964, the Administrator (Lieutenant Governor), Himachal Pradesh, in consultation with the High Court of Delhi, is pleased to confer upon Shri N. S. Shandil, Senior Subordinate Judge, Mahasu at Simla, the powers of Special Judicial Magistrate in respect of all Special Police Establishment cases to be exercised within the limits of Simla, Kangra and Kulu districts of Himachal Pradesh and Dalhousie, Baloon and Bakloh areas of Chamba district of Himachal Pradesh.

2. The powers conferred on Shri A. N. Bhoil, vide notification of even number, dated 9-9-1969 are hereby withdrawn.

3. This notification will not, however, effect the trial of Case No. RC-5/61-Ambala by Shri R. N. Mahotra, Special Magistrate, as mentioned in Himachal Pradesh Government notification No. 1-12/62-Vig., dated the 12th May, 1967, read with the notification of the same number dated the 5th June, 1967.

S. K. ALOK,  
Joint Secretary.

*Simla-2, the 30th November, 1970*

**No. 8-27/70-Appptt.**—In exercise of the powers vested in him under section 37 read with the fourth schedule and clause (b) of first para of sub-section (1) of section 200 of the Code of Criminal Procedure, 1898, the Administrator (Lieutenant Governor), Himachal Pradesh, is pleased to confer upon Shri Jai Chand, Magistrate First Class, Mandi district, all the powers to try summarily the offences specified in section 260 of the Code of Criminal Procedure, within the local limits of Mandi district, with immediate effect.

Sd/-  
Joint Secretary.

*Simla-2, the 30th November, 1970*

**No. 18-57/63-Appptt.(INT.)II.**—In partial modification of the notification No. 18-57/63-Appptt. (INT.), dated the 1st June, 1966, the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to delete the words "with effect from issue of this notification" and to substitute the same with words "with effect from 1st July, 1963".

2. The Administrator (Lieutenant Governor) is further pleased to order that the amendment made in the schedule and notified vide SRO(HP)-8, published in the Himachal Pradesh Rajpatra, dated the 1st July, 1963 by the aforesaid notification shall always be deemed to have been in it.

K. N. CHANNA,  
Chief Secretary.

**FINANCE DEPARTMENT  
NOTIFICATION**

*Simla-2, the 23rd November, 1970*

**No. 12-2/69-Fin.(R&E).**—In exercise of the powers vested in him under Supplementary Rule 2(10) read with item 43 of Appendix 14 of the P&T Compilation of the Fundamental and Supplementary Rules, Volume II, the Lieutenant Governor, Himachal Pradesh, is pleased to declare the Director of Vigilance, Himachal Pradesh, as Head of Department and Controlling Officer under following sub-head under minor head "C—Secretariat and Attached offices" subordinate to major head "19—General Administration":—

- C-1(7)—Vigilance Organisation—
- C-1(7)(1)—Pay of Officers.
- C-1(7)(2)—Pay of Establishment.
- C-1(7)(3)—Allowances, Honoraria, etc.
- C-1(7)(4)—Other Charges.

By order,  
M. M. SAHAI SRIVASTAVA,  
Secretary.

**HEALTH AND FAMILY PLANNING DEPARTMENT  
NOTIFICATIONS**

*Simla-2, the 24th November, 1970*

**No. 1-180/70-H&F.P.**—The Lieutenant Governor, Himachal Pradesh is pleased to appoint Dr. Kanwar Ashok Kumar as Civil Assistant Surgeon Grade I (Gazetted) in the scale of Rs. 350-25-500-30-590/30-830-35-900 on *ad hoc* basis for a period of one year from 13th October, 1970 (forenoon) or till the post is filled up in accordance with the Central Health Service Rules, whichever is earlier.

Sd/-  
Under Secretary.

*Simla-2, the 26th November, 1970*

**No. 1-178/70-H&F.P.**—The Lieutenant Governor, Himachal Pradesh, is pleased to appoint Dr. V. P. Sharma as Civil Assistant Surgeon Grade I (G) in the scale of Rs. 350-25-500-30-590/30-830-35-900 on *ad hoc* basis for a period of one year from the 30th September, 1970 (F.N.), or till the post is filled up in accordance with the Central Health Service Rules, whichever is earlier.

*Simla-2, the 26th November, 1970*

**No. 1-183/1970-H&F.P.**—The Lieutenant Governor, Himachal Pradesh is pleased to appoint Dr. Parkash Singh as Civil Assistant Surgeon Grade I (G) in the scale of Rs. 350-25-500-30-590/30-830-35-900 on *ad hoc* basis for a period of one year from the 25th September, 1970 (F.N.), or till the post is filled up in accordance with the Central Health Service Rules, whichever is earlier.

S. L. TALWAR,  
Under Secretary.

# INDUSTRIES DEPARTMENT NOTIFICATION

Simla-4, the 2nd December, 1970

No. 1-87/67-(LAB)Ind.—Continuation this office notifications of even number dated the 18th June, 1970 and the 16th September, 1970 regarding the constitution of an Industrial Tribunal in Himachal Pradesh and appointment of Shri Tej Singh, a retired District Judge, as Presiding Officer of the said Tribunal.

2. The Labour Commissioner, Himachal Pradesh, will be the controlling officer in regard to the counter-signing the travelling allowance bills of the Presiding Officer. The expenditure incurred will be debitable to Head '38 - Labour and Employment-A-I-(Labour)-A-I(3) Allowances and Honoraria'.

By order,  
MANJULA MAHAJAN,  
Deputy Secretary.

# LAND REFORMS DEPARTMENT

## NOTIFICATION

Simla-2, the 23rd November, 1970

No. 1-65/66-LRC.—In exercise of the powers conferred by sub-section (1) of section 9 of the Himachal Pradesh Abolition of Big Landed Estates and Land Reforms Act, 1953 (Act No. 15 of 1954), the Administrator (Lieutenant Governor), Himachal Pradesh is pleased to appoint Miss R. K. Chaudhary, I.A.S., as Compensation Officer, to carry out the purposes of the said Act including partitions, operations in holdings, assessment of Compensation and Settlement of disputes between the landowners and their tenants, within the limits of Mahasu district with effect from the date of issue of this notification.

2. Shri Raj Kumar Sharma, Revenue Assistant of Mahasu appointed as Compensation Officer vide notification No. 1-65/66-LRC, dated the 10th November, 1966, will cease to function as Compensation Officer with effect from the issue of this notification.

By order,  
H. R. MAHAJAN,  
Secretary.

# LAW DEPARTMENT

## NOTIFICATIONS

Simla-2, the 23rd November, 1970

No. 1-172/70-LR.—In exercise of the powers vested in him under section 492 (1) of the Code of Criminal Procedure, the Administrator (Lieutenant Governor) of Himachal Pradesh is pleased to appoint Shri K. C. Pandit, Advocate of Simla as Public Prosecutor, for conducting the Criminal Murder Reference No. 2/1970—State versus Kali Ram and Criminal Appeal No. 31/70 Shri Kali Ram versus State under section 302 I.P.C.

Simla-2, the 30th November, 1970.

No. 3-17/70-LR.—In exercise of the powers vested in him under section 492(1) of the Code of Criminal Procedure, the Administrator (Lieutenant Governor) of Himachal Pradesh is pleased to appoint Shri Inder Singh, Advocate of Simla, as the Public Prosecutor for conducting the Murder Reference No. 3/70—State versus Nikka Ram and Criminal Appeal No. 37/70—Shri Nikka Ram versus State on behalf of the State before the Delhi High Court, Himachal Bench at Simla.

JOSEPH DINA NATH,  
Under Secretary (Judicial).

# MULTI-PURPOSE PROJECTS AND POWER DEPARTMENT NOTIFICATIONS

Simla-2, the 23rd November, 1970

No. 2-72/69-MPP-(Sectt).—Whereas the Lieutenant Governor,

Himachal Pradesh is satisfied that the land is needed by the Government at public expense for a public purpose, namely for construction of Switch Yard site at Jabli in village Kohlwin, Tehsil Sadar, District Bilaspur, Himachal Pradesh, it is hereby declared that the land described in the specification below is required for the above purpose.

2. This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department, is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Simla.

## SPECIFICATION

District: BILASPUR

Tehsil: SADAR

Village	Khasra No.	Area Big. Bis.
KOHLWIN	131/56/1	1 14

Simla-2, the 24th November, 1970

No. 2-14/70-MPP-(Sectt).—Whereas it appears to the Lieutenant Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of Log Cabin at Nichar, District Kinnaur, it is hereby declared that the land described in the specification below is required for the above purpose.

2. This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894, to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department, is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Kalpa, District Kinnaur.

## SPECIFICATION

District: KINNAUR

Tehsil: NICHAR

Village	Khasra No.	Area Big. Bis.
NICHAR	589/1	0 1

By order,  
U. N. SHARMA,  
Secretary.

Simla-2, the 26th November, 1970

No. 1-42/69-MPP-(Sectt).—In supersession of this Department notification of even number, dated the 9th November, 1970, the Lieutenant Governor, Himachal Pradesh is pleased to promote Shri M. C. Tiwari, Surveyor of Works (Executive Engineer), Department of M.P.P. and Power as Superintending Engineer in the scale of Rs. 1600-50-1800-100-2000 on *ad hoc* basis in the vacancy caused by the retirement of Shri Raj Kumar, Superintending Engineer, and post him as Superintending Surveyor of Works in the Department of Multipurpose Projects and Power with effect from the 12th August, 1970 (A.N.).

The *ad hoc* appointment of Shri M. C. Tiwari, will not confer upon him any right to claim seniority in the grade of Superintending Engineers in the Department of M.P.P. and Power.

Simla-2, the 27th November, 1970

No. 1-42/69-MPP-(Sectt).—The Administrator (Lieutenant Governor), Himachal Pradesh with the approval of the Union Public Service Commission contained in their letter No. F.3/6/70-A-IV, dated the 30th September, 1970, is pleased to accord sanction to the continued appointment, on deputation, of Shri B. D. Sharma to the post of Superintending Engineer (Civil)

in the Department of Multipurpose Projects and Power, Himachal Pradesh, for a further period of one year with effect from 25th September, 1969.

U. N. SHARMA,  
Secretary.

## REVENUE DEPARTMENT

### NOTIFICATION

Simla-2, the 24th November, 1970

No. 4-24/70-Rev.II.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh that the land is required to be taken by the Government at public expense for a public purpose, namely for construction of permanent treatment plant for B.S.L. colony Slapper in Village Slapper, Tehsil Sundernagar, District Mandi (Himachal Pradesh), it is hereby declared that the land described in the specification below is required for the above purpose.

2. The declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Land Acquisition Collector, B.S.L. Project, Mandi is hereby directed to take order for the acquisition the said land.

3. A plan of the land may be inspected in the office of the Land Acquisition Collector, B.S.L. Project, Mandi (Himachal Pradesh).

### SPECIFICATION

District: MANDI Tehsil: SUNDERNAGAR

Village	Khasra No.	Area		
		Big.	Bis.	Bisw.
SLAPPER	1521	0	5	12
	1522	0	7	16
	1528	0	6	5
	1529	0	4	15
	1530	0	2	13
	1531	0	1	2
	1532	0	10	17
	1533	1	5	7
	1534	0	11	19
	1535	0	2	0
	1536	0	3	7
	1537	0	2	18
	1538	0	2	14
	1539	0	7	13
	1542	0	8	14
	1543	0	5	4
	1544	0	6	1
	1545	0	11	4
	1546	0	8	0
	1549	0	4	7
	1550	0	3	10
	1551	0	4	7
	1552	0	7	18
	1553	0	13	0
Total	..	8	7	3

By order,  
U. N. SHARMA,  
Secretary.

## PUBLIC WORKS DEPARTMENT

### CORRIGENDUM

Simla-2, the 25th November, 1970

No. 2-33/70-PWD.—Please substitute village "Chamyala" for "Chanyala" appearing in column

No. 3 of the specification of this Government notification of even number, dated the 13th October, 1970 which was issued in connection with the acquisition of 2 bighas 16 biswas land in Khasra No. 99/2/1, for construction of accommodation for Maint Unit in Sub-Tehsil Kumarsain of Mahasu district.

### ADDENDUM

Simla-2, the 27th November, 1970

No. 2-34/70-PWD.—Please insert the name of village "ANJI" under the column *Locality* of the specification of this Government notification of even number, dated the 7th October, 1970, where land measuring 30 bighas and 7 biswas was notified under section 4 of the Land Acquisition Act, 1894 in the aforesaid village of Tehsil Kanda-ghat, District Simla for the purpose of construction of Kalka-Simla road.

### NOTIFICATIONS

Simla-2, the 28th November, 1970

No. 2-32/70-PWD.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for the construction of Katala-Parasar road, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lieutenant Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh Public Works Department, Mandi and Kulu districts, Mandi.

### SPECIFICATION

District: MANDI Tehsil: MANDI

Village	Khasra No.	Area		
		Big.	Bis.	Bisw.
SANDOA	188/1	0	2	4
	219	0	0	14
	225/1	0	2	9
	247/1	0	1	14
	284/1	0	0	12
	288/1	0	0	3
	312/1	0	1	0
	147	0	1	10
	358/1	0	1	10
	364/1	0	0	16
	359/1	0	1	12
	339/1	0	0	9
	154/1	0	1	4
	290/1	0	2	6
	291/1	0	0	11
	305	0	0	9
	310/1	0	0	2
	613/1	0	1	12
	39/1	0	1	1



1	2	3	4	5
	39/2	0	4	15
	366/1	0	0	8
	272/1	0	0	6
	277/1	0	0	9
	249/1	0	0	13
	216/1	0	0	13
	224/1	0	2	15
	283/1	0	1	2
	307/1	0	1	6
	152/1	0	3	10
	655/1	0	6	8
	276/1	0	0	2
	214/1	0	0	10
	268/1	0	0	18
	611/1	0	0	10
	273/1	0	1	8
	278/1	0	0	16
	84/1	0	3	8
	333/1	0	6	2
	336/1	0	1	4
	186/1	0	1	1
	187/1	0	1	4
	308/1	0	0	16
	621/1	0	0	9
	624/1	0	0	11
	151/1	0	2	0
	617/1	0	0	12
	149	0	0	15
	311	0	0	12
	615/1	0	1	17
	251/1	0	1	6
	141/1	0	0	4
	220/1	0	0	7
	319/1	0	0	16
	145/1	0	0	19
	248/1	0	1	6
	146	0	3	3
	229/1	0	0	18
	318/1	0	0	18
Total	..	3	18	5

Simla-2, the 28th November, 1970

No. 2-32/70-PWD.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh that land is likely to be required to be taken by the Himachal Pradesh Government at the public expense for a public purpose, namely for the construction of Kataula-Prasher road, it is hereby notified that land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Lieutenant Governor, Himachal Pradesh is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of the said land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh Public Works Department, Mandi and Kulu districts, office Mandi (Himachal Pradesh).

#### SPECIFICATION

District: MANDI

Tehsil: SADAR

Village	Khasra No.	Area Big. Bis. Bisw.
SEGALI	357/1	0 3 18
	319/1	0 2 18
	326/1	8 8
	329/1	0 14 6
	362/1	0 0 10
	362/2	0 0 8
	358/1	0 1 3
	359/1	0 1 6
	360/1	0 2 8
	363/1	0 5 8
	365/1	0 1 8
	349/1	0 14 16
	276/1	0 0 6
	277/1	0 3 0
	277/2	0 2 18
Total	..	3 3 1

By order,  
U. N. SHARMA,  
Secretary.

#### SECRETARIAT ADMINISTRATION DEPARTMENT NOTIFICATION

Simla-2, the 28th November, 1970

No. SAD-37-157/55.—Consequent upon his promotion as Superintendent in the Himachal Pradesh Secretariat, the Lieutenant Governor, has been pleased to fix the officiating pay of Shri Het Ram Gupta, at Rs. 425.00 per month in the pay scale of Rs. 350-25-575 (promotees to start at Rs. 400 per month) with effect from the 24th September, 1970, under F.R. 22-C, as under:—

- Pay in the lower scale of Rs. 395.00 per month Rs. 210-10-290-15-320/15-425, as Assistant.
- Pay notionally arrived at by Rs. 395 plus Rs. 15.00 increasing one increment in the =Rs. 410.00 per lower scale. onth.
- Pay to which entitled in the Rs. 425.00 per higher post of Superintendent month with next in the pay scale of Rs. 350-25-575 (promotees to start at date of increment on 24-9-1971. Rs. 400.00 per month) i.e. the stage next above the notional pay.

By order,  
N. C. KAUSHAL,  
Under Secretary.

भाग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनायें  
इत्यादि

#### PUBLIC WORKS DEPARTMENT NOTIFICATION

Simla, the 23rd November, 1970

No. 28/93/Gin-67.—Whereas the Lieutenant

Governor, Himachal Pradesh is satisfied that the land is required to be taken by the Government at public expense for a public purpose, namely for the construction of approach road to Bridge at Kulu (near Government

College). it is hereby declared that the land described in the specification below is required for the above purpose.

This declaration is made under the provisions of section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh Public Works Department, Mandi is hereby directed to take orders for the acquisition of the said land.

Plans of the land may be inspected in the office of the Land Acquisition Officer, Himachal Pradesh Public Works Department, Mandi and Kulu districts at Mandi.

#### SPECIFICATION

District: KULU

Tehsil: KULU

Village	Khasra No.	Area		
		Big.	Bis.	Bisw.
DHALPUR	2394/2253/436/1	1	3	0

O. P. SABHLOK,  
Superintending Engineer, 6th Circle,  
Himachal Pradesh Public Works Department, Kulu.

#### OFFICE OF THE DISTRICT MAGISTRATE, CHAMBA

##### NOTICE TO GENERAL PUBLIC

Chamba, the 24th November, 1970

No. 8-CBA-11(29)/70-II. In continuation of this office notice No. 8-CBA-11(29)/70-II, dated the 21st November, 1970, regarding the holding of enquiry into the bus accident of Bus No. HIM 4174 which occurred near Kiani on Chamba-Tissa road on 9-10-1970.

2. It is hereby further notified for the information of general public that all persons who wish to file affidavits or to depose personally in connection with the causes of the above accident may get their names recorded till 30th November, 1970, in my court whereafter no permission for deposition in ordinary circumstances will be given.

3. It is hereby further indicated that right of cross examination of the witnesses is available and for the said purpose the Action Committee or any other person interested will have to seek permission to cross examine the witnesses by 25th November, 1970, on which date recording of evidence will start.

S. K. CHAUHAN,  
District Magistrate.

#### OFFICE OF THE ASSISTANT DISTRICT INDUSTRIES OFFICER, DISTRICT BILASPUR (HIMACHAL PRADESH)

FORM "H"

#### DECLARATION UNDER SECTION 24 OF THE ACT

Bilaspur, the 25th November, 1970

No. UB(Loan)(Sanct.)/69-4913.—Whereas a notice was served on Shri Payare Lal s/o Shri Kanshi Ram, House No. 147, Janta Sector No. II, N.B.T. Bilaspur, Himachal Pradesh on the 8th December, 1966, under section 23 of the Punjab State Aid to Industries (Himachal Pradesh) Amendment Act, 1964, calling upon the said Shri Payare Lal to pay to me the sum of Rs. 2,000 on or before 30-12-1966 and whereas the said sum has not been paid I hereby declare that the sum of Rs. 1333.34 as principal plus interest Rs. 157.13 upto 1-6-1970 and further interest will be charged till the date of payment is due from the said Shri Payare Lal s/o Shri Kanshi Ram and that the proper described in the attached schedule is liable for the satisfaction of the said debt.

#### SCHEDULE

Self owned house No. 147, consisting 4 rooms standing on Plot No. 147, Janta Sector No. II (Roura), N.B.T. Bilaspur, Himachal Pradesh.

Sd/-  
Assistant District Industries Officer.

FORM "H"

#### DECLARATION UNDER SECTION 24 OF THE ACT

Bilaspur, the 27th November, 1970

No. UB (Loan) (Sanct.)/69-4916.—Whereas a notice was served on Shri Nand Lal s/o Shri Bhangu Ram, House No. 3-A, Janta Sector No. I, Diara, N.B.T., Bilaspur, on the 19th January, 1968 under section 23 of the Punjab State Aid to Industries (H.P.) Amendment Act, 1964, calling upon the said Shri Nand Lal to pay to me the sum of Rs. 5714.29 on or before 15-2-1986 and whereas the said sum has not been paid I hereby declare that the sum of Rs. 5714.29 as principal plus interest Rs. 314.27 upto 5-3-1971 and further interest will be charged till the date of payment is due from the said Shri Nand Lal s/o Shri Bhangu and that the property described in the attached schedule is liable for the satisfaction of the said debt.

#### SCHEDULE

House-cum-shop double storeyed consisting of 7 rooms standing on plot No. 3-A, situate at New Bilaspur Township, Himachal Pradesh.

Sd/-  
Assistant District Industries Officer.

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के उप-राज्यपाल, हिमाचल बेंच आफ़ देहली हाई कोर्ट, फाइनेन्शियल कमिशनर तथा कमिशनर आफ़ इन्कम-टैक्स द्वारा अधिसूचित आदेश इत्यादि

गुप्त

भाग 4—स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायत विभाग

गुप्त

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

गुप्त

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

LAW DEPARTMENT  
NOTIFICATIONS

Simla-4, the 28th September, 1960

No. 1-7/60-LR.—The following Act recently passed by the Parliament of India and published in the Gazette of India Extraordinary Part II section I, dated the 7th September, 1960 is hereby republished in the Himachal Pradesh Administration Rajpatra for the information of general public.

The Taxation Laws (Amendment) Act, 1960 (No. 28 of 1960).

G. M. LAUL,  
Under Secretary (Judicial).

Assented to on 6-9-1960.

THE TAXATION LAWS (AMENDMENT)  
ACT, 1960

ACT NO. 23 OF 1960

AN

ACT

further to amend the Indian Income-tax Act, 1922, the Wealth-tax Act, 1957, the Expenditure-tax Act, 1957 and the Gift-tax Act, 1958.

BE it enacted by Parliament in the Eleventh Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title and commencement.—(1) This Act may be called the Taxation Laws (Amendment) Act, 1960.

(2) Subject to any provision made in this behalf in this Act, it shall be deemed to have come into force on the 1st day of April, 1960.

CHAPTER II

AMENDMENTS TO THE INDIAN INCOME-TAX ACT, 1922

2. Amendment of section 4.—In section 4 of the Indian Income-tax Act, 1922 (11 of 1922), (hereinafter referred to as the Income-tax Act), in sub-section (3),—

(i) after clause (xiv a), the following clause shall be inserted, namely:—

“(xiv b) Any income chargeable under the head ‘Salaries’ received by or due to a person not resident in the taxable territories and not being a citizen of India, as remuneration for services rendered in connection with his employment on a foreign ship where his total stay in the taxable territories does not exceed in the aggregate a period of ninety days in the previous year;”;

(ii) for clauses (xvii) and (xviii a), the following clauses shall be substituted, namely:—

“(xvii) Monthly payments on the 15 Year Annuity Certificates issued by or under the authority of the Central Government or such other annuity certificates issued by or under the authority of that Government as that Government may, by notification in the Official Gazette, specify in this behalf, to the extent to which the amounts of the certificates do not exceed in each case the maximum amount which is permitted to be invested therein;

(xviii a) Interest on Treasury Savings Deposit Certificates, Post Office Cash Certificates, Post

Office National Savings Certificates, National Plan Certificates, 12 Year National Plan Savings Certificates and such other certificates issued by the Central Government as that Government may, by notification in the Official Gazette, specify in this behalf, and interest on deposits in Post Office Savings Banks, to the extent to which the amounts of such certificates or deposits do not exceed in each case the maximum amount which is permitted to be invested or deposited therein;”.

3. Amendment of section 5.—In section 5 of the Income-tax Act,—

(i) the Explanation to sub-section (7A) shall be omitted; and

(ii) after sub-section (8), the following Explanation shall be inserted, and shall be deemed always to have been inserted, namely:—

“Explanation.—In sub-sections (2), (5) and (7A), the word ‘case’ in relation to any person whose name is specified in any order or direction issued in pursuance of any of the aforesaid sub-sections means all proceedings under this Act in respect of any year which may be pending on the date of such order or direction or which may have been completed on or before such date, and includes also all proceedings under this Act which may be commenced after the date of such order or direction in respect of any year.”.

4. Amendment of section 10.—In section 10 of the Income-tax Act, in sub-section (2), after the proviso to clause (vi b), the following further proviso shall be inserted, namely:—

“Provided further that no allowance under this clause shall be made in respect of any machinery or plant which consist of office appliances or road transport vehicles.”.

5. Amendment of section 15B.—In section 15B of the Income-tax Act, in sub-section (1), after the words “to which this section applies”, the words “or in respect of any sums paid by him on or after the 1st day of April, 1960, as donations to the Government or to any local authority to be utilised for any charitable purpose as defined in sub-section (3) of section 4” shall be inserted.

6. Amendment of section 16.—(1) In section 16 of the Income-tax Act, in clause (a) of sub-section (1), for the words, figures and letters “section 15B and section 15C”, the words, figures and letters “section 15B, section 15C and section 58F” shall be substituted.

(2) The amendment made by sub-section (1) shall be deemed to have had effect on and from the 1st day of April, 1957, for the purposes of sub-sections (2) and (2B) of section 18 of the Income-tax Act, and on and from the 1st day of April, 1958, for other purposes.

7. Amendment of section 46.—In section 46 of the Income-tax Act,—

(i) for the proviso to sub-section (2) the following proviso shall be, and shall be deemed always to have been substituted, namely:—

“Provided that without prejudice to the powers conferred by this sub-section, the Collector, shall, for the purpose of recovering the amount specified in the certificate, have also all the powers which—

(a) a Collector has under the Revenue Recovery Act, 1890 (1 of 1890);

(b) a civil court has under the Code of Civil Procedure, 1908 (5 of 1908) for the purpose of the recovery of an amount due under a decree.”;

(ii) for sub-section (8), the following sub-sections shall be, and shall be deemed always to have been, substituted, namely:—

“(7A) For the purposes of this section, the expression ‘Collector’ shall include—

(a) an additional collector or any other officer authorised to exercise the powers of a Collector under any law for the time being in force in a State relating to land revenue; and

(b) a Collector in Pakistan.

(8) The Income-tax Officer may forward a certificate under sub-section (2) to a Collector in Pakistan through the Central Board of Revenue of Pakistan if the assessee has property in the district of that Collector.”.

8. *Amendment of section 56A.*—In section 56A of the Income-tax Act, in clause (i) of sub-section (1),—

(a) for item No. (2), the following item shall be substituted, namely:—

“(2) Iron and steel (metal, ferro-allow, and special steels);”;

(b) for item No. (4) the following items shall be substituted, namely:—

“(4) Chemicals (other than fertilisers) of the following types:

(i) inorganic heavy chemicals;

(ii) organic heavy chemicals;

(iii) fine chemicals including photographic chemicals;

(iv) synthetic rubber;

(v) man-made fibres other than viscose rayon;

(vi) coke oven by-products;

(vii) coal tar distillation products like naphthalene, anthracene and the like;

(viii) explosives including gun powder and safety fuses;

(4A) Inorganic, organic and mixed fertilisers;”;

(c) for item No. (5), the following item shall be substituted, namely:—

“(5) Industrial machinery of the following types (including gear wheels and parts thereof, boilers and steam generating plants):—

A. *Major items of specialised equipment used in specific industries:*

(i) textile machinery (such as frames, carding machines, powerlooms and the like) including textile accessories;

(ii) jute machinery;

(iii) rayon machinery;

(iv) sugar machinery;

(v) tea machinery;

(vi) mining machinery;

(vii) metallurgical machinery;

(viii) cement machinery;

(ix) chemical machinery;

(x) pharmaceuticals machinery;

(xi) paper machinery;

B. *General items of machinery used in several industries, such as the equipment required for various ‘unit processes’:*

(i) size reduction equipment—crushers, ball mills and the like;

(ii) conveying equipment—bucket elevators, skip hoists, cranes, derricks and the like;

(iii) size separation units—screen, classifiers and the like;

(iv) mixers and reactors—kneading mills, turbo mixers and the like;

(v) filtration equipment—filter presses, rotary filters and the like;

(vi) centrifugal machines;

(vii) evaporators;

(viii) distillation equipment;

(ix) crystallisers;

(x) driers;

(xi) power driven pumps—reciprocating, centrifugal and the like;

(xii) air and gas compressors and vacuum pipes (excluding electrical furnaces);

(xiii) refrigeration plants for industrial use;

(xiv) fire fighting equipment and appliances including fire engines.

C. *Other items of Industrial Machinery:*

(i) ball, roller and tapered bearings;

(ii) speed reduction units;

(iii) grinding wheels and abrasives;”.

9. *Insertion of new sections. 59A and 59B.*—After section 59 of the Income-tax Act, the following sections shall be inserted, namely:—

“59A. *Publication of information respecting penalties in certain cases.*—(1) The Central Government shall cause to be published, by notification in the Official Gazette, the names and such other particulars as may be relevant of—

(a) persons on each of whom a penalty amounting to not less than five thousand rupees or such lower amount as may be fixed by the Central Government, by notification in the Official Gazette, has been imposed at any time on or after the 1st day of April, 1960, under clause (c) of sub-section (1) of section 28; and

(b) persons who have been convicted as a result of any proceedings initiated on or after the 1st day of April, 1960, under section 52 or under any provision of the Indian Penal Code (45 of 1860), for any offence connected with any proceedings under this Act.

(2) If in the interests of revenue the Central Government considers it necessary so to do, it may also cause to be published, by notification in the Official Gazette, the names and such other particulars as may be relevant of—

(a) persons on each of whom a penalty has been imposed at any time on or after the 1st day of April, 1960, under clause (a) or clause (b) of sub-section (1) of section 28; or

(b) persons on each of whom a penalty of an amount not exceeding the amount referred to in clause (a) of sub-section (1) has been imposed at any time on or after the 1st day of April, 1960, under clause (c) of sub-section (1) of section 28; or

(c) persons who have been convicted as a result of any proceedings initiated on or after the 1st day of April, 1960, under any provision of this Act other than section 52.

(3) No publication under this section shall be made—

(i) in the case of an assessee mentioned in clause (a) of sub-section (1) or in clause (a) or clause (b) of sub-section (2) who has presented an appeal under section 30 against the order of penalty, until the appeal is disposed of by the Appellate Assistant Commissioner;

(ii) in the case of an assessee mentioned in clause (b) of sub-section (1) or clause (c) of sub-section (2), until the time for appealing has expired without an appeal having been presented, or an appeal if presented has been disposed of.

(4) Notwithstanding anything contained in this section, the Central Government may refrain from publish-

ing the name of any person if it is satisfied that in the interests of revenue it is necessary so to do, and where the Central Government refrains from publishing the name of any person, the reason for not publishing the name shall be recorded in writing.

(5) Every notification issued under this section shall be laid before Parliament as soon as may be after it is made.

(6) The provisions of this section shall have effect notwithstanding anything to the contrary contained in section 54.

*Explanation.*—In the case of a firm, company or other association of persons, the names of the partners of the firm, directors, managing agents, secretaries and treasurers, or managers of the company, or the members of the association, as the case may be, may also be published if, in the opinion of the Central Government, the circumstances of the case justify it.

59B. *Disclosure of information respecting tax payable.*—Where a person makes an application to the Commissioner in the prescribed form and after payment of the prescribed fee for information as to the amount of tax determined as payable by any assessee in respect of any assessment made on or after the 1st day of April, 1960, the Commissioner may, notwithstanding anything contained in section 54, if he is satisfied that there are no circumstances justifying its refusal, furnish or cause to be furnished the information asked for.”

10. *Insertion of new section 60B.*—After section 60A of the Income-tax Act, the following section shall be inserted, and shall be deemed always to have been inserted, namely:—

“60B. *Tax may be levied for period other than previous year or deducted at source or paid in advance, wherever so provided.*—(1) Where by virtue of any provision of this Act income-tax or super-tax is to be charged in respect of the income of a period other than the previous year, income-tax or super-tax, as the case may be, shall be charged accordingly.

(2) In respect of Income chargeable under this Act, income-tax or super-tax shall be deducted at the source or paid in advance, where it is so deductible or payable under any provision of this Act.”

### CHAPTER III

#### AMENDMENTS TO THE WEALTH-TAX ACT, 1957

11. *Insertion of new sections 42A and 42B in Act 27 of 1957.*—In the Wealth-tax Act, 1957, after section 42, the following sections shall be inserted, namely:—

“42A. *Publication of information respecting penalties in certain cases.*—(1) The Central Government shall cause to be published, by notification in the Official Gazette, the names and such other particulars as may be relevant of—

- (a) persons on each of whom a penalty amounting to not less than five thousand rupees or such lower amount as may be fixed by the Central Government, by notification in the Official Gazette, has been imposed at any time on or after the 1st day of April, 1960, under clause (c) of sub-section (1) of section 18; and
- (b) persons who have been convicted as a result of any proceedings initiated on or after the 1st day of April, 1960, under sub-section (2) of section 36 or under any provision of the Indian Penal Code (45 of 1860) for any offence connected with any proceedings under this Act.

(2) If in the interests of revenue the Central Government considers it necessary so to do, it may also cause to be published, by notification in the Official Gazette, the names and such other particulars as may be relevant of—

- (a) persons on each of whom a penalty has been imposed at any time on or after the 1st day of April, 1960, under clause (a) or clause (b) of sub-section (1) of section 18; or
- (b) persons on each of whom a penalty of an amount not exceeding the amount referred to in clause (a) of sub-section (1) has been imposed at any time on or after the 1st day of April, 1960, under clause (c) of sub-section (1) of section 18; or
- (c) persons who have been convicted as a result of any proceedings initiated on or after the 1st day of April, 1960, under any provision of this Act other than sub-section (2) of section 36.

(3) No publication under this section shall be made—

- (i) in the case of an assessee mentioned in clause (a) of sub-section (1) or in clause (a) or clause (b) of sub-section (2) who has presented an appeal under section 23 against the order of penalty, until the appeal is disposed of by the Appellate Assistant Commissioner;
- (ii) in the case of an assessee mentioned in clause (b) of sub-section (1) or clause (c) of sub-section (2) until the time for appealing has expired without an appeal having been presented, or an appeal if presented has been disposed of.

(4) Notwithstanding anything contained in this section, the Central Government may refrain from publishing the name of any person if it is satisfied that in the interests of revenue it is necessary so to do, and where the Central Government refrains from publishing the name of any person, the reason for not publishing the name shall be recorded in writing.

(5) Every notification issued under this section shall be laid before Parliament as soon as may be after it is made.

(6) The provisions of this section shall have effect notwithstanding anything to the contrary contained in section 42.

42B. *Disclosure of information respecting tax payable.*—Where a person makes an application to the Commissioner in the prescribed form and after payment of the prescribed fee for information as to the amount of wealth-tax determined as payable by any assessee in respect of any assessment made on or after the 1st day of April, 1960, the Commissioner may, notwithstanding anything contained in section 42, if he is satisfied that there are no circumstances justifying its refusal, furnish or cause to be furnished the information asked for.”

### CHAPTER IV

#### AMENDMENT TO THE EXPENDITURE-TAX ACT, 1957

12. *Insertion of new sections 38A and 38B in Act 29 of 1957.*—In the Expenditure-tax Act, 1957, after section 38, the following sections shall be inserted, namely:—

“38A. *Publication of information respecting penalties in certain cases.*—(1) The Central Government shall cause to be published, by notification in the Official Gazette, the names and such other particulars as may be relevant of—



- 1
- (a) persons on each of whom a penalty amounting to not less than five thousand rupees or such lower amount as may be fixed by the Central Government, by notification in the Official Gazette, has been imposed at any time on or after the 1st day of April, 1960, under clause (c) of sub-section (1) of section 17; and
- (b) persons who have been convicted as a result of any proceedings initiated on or after the 1st day of April, 1960, under sub-section (2) of section 32 or under any provision of the Indian Penal Code (45 of 1860), for any offence connected with any proceedings under this Act.
- (2) If in the interests of revenue the Central Government considers it necessary so to do, it may also cause to be published, by notification in the Official Gazette, the names and such other particulars as may be relevant of—
- (a) persons on each of whom a penalty has been imposed at any time on or after the 1st day of April, 1960, under clause (a) or clause (b) of sub-section (1) of section 17; or
- (b) persons on each of whom a penalty of an amount not exceeding the amount referred to in clause (a) of sub-section (1) has been imposed at any time on or after the 1st day of April, 1960, under clause (c) of sub-section (1) of section 17; or
- (c) persons who have been convicted as a result of any proceedings initiated on or after the 1st day of April, 1960, under any provision of this Act other than sub-section 2 of section 32.
- (3) No publication under this section shall be made—
- (i) in the case of an assessee mentioned in clause (a) of sub-section (1) or in clause (a) or clause (b) of sub-section (2) who has presented an appeal under section 21 against the order of penalty, until the appeal is disposed of by the Appellate Assistant Commissioner;
- (ii) in the case of an assessee mentioned in clause (b) of sub-section (1) or clause (c) of sub-section (2), until the time for appealing has expired without an appeal having been presented, or an appeal if presented has been disposed of.
- (4) Notwithstanding anything contained in this section, the Central Government may refrain from publishing the name of any person if it is satisfied that in the interests of revenue it is necessary so to do, and where the Central Government refrains from publishing the name of any person, the reason for not publishing the name shall be recorded in writing.
- (5) Every notification issued under this section shall be laid before Parliament as soon as may be after it is made.
- (6) The provisions of this section shall have effect notwithstanding anything to the contrary contained in section 38.
- 38B. *Disclosure of information respecting tax payable.*—Where a person makes an application to the Commissioner in the prescribed form and after payment of the prescribed fee for information as to the amount of expenditure-tax determined as payable by any assessee in respect of any assessment made on or after the 1st day of April,

1960, the Commissioner may, notwithstanding anything contained in section 38, if he is satisfied that there are no circumstances justifying its refusal, furnish or cause to be furnished the information asked for.”

## CHAPTER V

### AMENDMENTS TO THE GIFT-TAX ACT, 1958

13. *Insertion of new sections 41A and 41B in Act 18 of 1958.*—In the Gift-tax Act, 1948, after section 41, the following sections shall be inserted, namely:—

“41A. *Publication of information respecting penalties in certain cases.*—(1) The Central Government shall cause to be published, by notification in the Official Gazette, the names and such other particulars as may be relevant of—

- (a) persons on each of whom a penalty amounting to not less than five thousand rupees or such lower amount as may be fixed by the Central Government, by notification in the Official Gazette, has been imposed at any time on or after the 1st day of April, 1960, under clause (c) of sub-section (1) of section 17 and
- (b) persons who have been convicted as a result of any proceedings initiated on or after the 1st day of April, 1960, under sub-section (2) of section 35 or under any provision of the Indian Penal Code (45 of 1860) for any offence connected with any proceedings under this Act.
- (2) If in the interests of revenue the Central Government considers it necessary so to do, it may also cause to be published, by notification in the Official Gazette the names and such other particulars as may be relevant of—
- (a) persons on each of whom a penalty has been imposed at any time on or after the 1st day of April, 1960, under clause (a) or clause (b) of sub-section (1) of section 17; or
- (b) persons on each of whom a penalty of an amount not exceeding the amount referred to in clause (a) of sub-section (1) has been imposed at any time on or after the 1st day of April, 1960, under clause (c) of sub-section (1) of section 17; or
- (c) persons who have been convicted as a result of any proceedings initiated on or after the 1st day of April, 1960, under any provision of this Act other than sub-section (2) of section 35.
- (3) No publication under this section shall be made—
- (i) in the case of an assessee mentioned in clause (a) of sub-section (1) or in clause (a) or clause (b) of sub-section (2) who has presented an appeal under section 22 against the order of penalty, until the appeal is disposed of by the Appellate Assistant Commissioner;
- (ii) in the case of an assessee mentioned in clause (b) of sub-section (1) or clause (c) of sub-section (2), until the time for appealing has expired without an appeal having been presented or an appeal if presented has been disposed of.
- (4) Notwithstanding anything contained in this section, the Central Government may refrain from publishing the name of any person if it is satisfied that in the interests of revenue it is

necessary so to do, and where the Central Government refrains from publishing the name of any person, the reason for not publishing the name shall be recorded in writing.

(5) Every notification issued under this section shall be laid before Parliament as soon as may be after it is made.

(6) The provisions of this section shall have effect notwithstanding anything to the contrary contained in section 41.

*Explanation.*—In the case of a firm, company or an association or a body of individuals or persons, the names of the partners of the firm, directors, managing agents, secretaries and treasurers or managers of the company, or the members of the association or body, as the case may be, may also be published if in the opinion of the Central Government the circumstances of the case justify it.

41-B. *Disclosure of information respecting tax payable.*—Where a person makes an application to the Commissioner in the prescribed form and after payment of the prescribed fee for information as to the amount of gift-tax determined as payable by any assessee in respect of any assessment made on or after the 1st day of April, 1960, the Commissioner may, notwithstanding anything contained in section 41, if he is satisfied that there are no circumstances justifying its refusal furnish or cause to be furnished the information asked for.”

Simla-4, the 12th December, 1962

No. 1-18'62-LR.—The following Acts recently passed by the Parliament of India and published in the Gazette of India, Extra-ordinary Part II section I, dated the 26th November, 29th November, 30th November, 6th December and 8th December, 1962 respectively are hereby republished in the Himachal Pradesh Administration Rajpatra for the information of general public:—

1. The Electricity (Supply) Amendment Act, 1962 (No. 44 of 1962).
2. The Hindu Adoptions and Maintenance (Amendment) Act, 1962 (No. 45 of 1962).
3. The Metal Tokens (Amendment) Act, 1962 (No. 46 of 1962).
4. The Indian Tariff (Amendment) Act, 1962 (No. 47 of 1962).
5. The Employees' Provident Fund (Amendment) Act, 1962 (No. 48 of 1962).
6. The Pondicherry (Administration) Act, 1962 (No. 49 of 1962).
7. The Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (No. 50 of 1962).

S. R. MAHANTAN,  
Under Secretary (Judicial).

Assented to on 28-11-1962

THE ELECTRICITY (SUPPLY) AMENDMENT ACT, 1962  
(No. 44 of 1962)

AN  
ACT

further to amend the Electricity (Supply) Act, 1948

Be it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Electricity (Supply) Amendment Act, 1962.
2. *Insertion of new section 20A.*—After section 20 of the Electricity

city (Supply) Act, 1948, (54 of 1948), the following section shall be inserted, namely:—

“20A. *Power to acquire projects, etc., on lease.*—Without prejudice to the generality of the power of the Board to acquire any property, the Board may acquire from the State Government on lease any project relating to the generation of electricity and all transmission lines and other works connected with such project or any part of such project, transmission lines or other works on such terms and conditions, including terms and conditions relating to the operation and maintenance thereof as may be agreed upon between the State Government and the Board.”

Assented to on 20-11-1962

THE HINDU ADOPTIONS AND MAINTENANCE (AMENDMENT) ACT, 1962

(No. 45 of 1962)

AN  
ACT

further to amend the Hindu Adoptions and Maintenance Act, 1955.

Be it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Hindu Adoptions and Maintenance (Amendment) Act, 1962.
2. *Amendment of section 2.*—In section 2 of the Hindu Adoptions and Maintenance Act, 1955 (78 of 1955) (hereinafter referred to as the principal Act), in the *Explanation* to sub-section (1)—
  - (a) in clause (b), the word “and” occurring at the end shall be omitted;
  - (b) after clause (b), the following clause shall be inserted, namely:—
 

“(bb) any child, legitimate or illegitimate, who has been abandoned both by his father and mother or whose parentage is not known and who in either case is brought up as a Hindu, Buddhist, Jaina or Sikh; and”.

3. *Amendment of section 9.*—In section 9 of the principal Act,—

- (a) in sub-section (2), for the words, brackets and figure “sub-section (3)”, the words, brackets and figures “sub-section (3) and sub-section (4)” shall be substituted;
- (b) for sub-section (4) the following sub-section shall be substituted, namely:—

“(4) Where both the father and mother are dead or have completely and finally renounced the world or have abandoned the child or have been declared by a court of competent jurisdiction to be of unsound mind or where the parentage of the child is not known, the guardian of the child may give the child in adoption with the previous permission of the court to any person including the guardian himself.”;

(c) in the *Explanation*—

- (i) in clause (i), the word “and” at the end shall be omitted;
- (ii) after clause (i), the following clause shall be inserted, namely:—

“(ia) “guardian” means a person having the care of the person of a child or both his person and property and includes—

- (a) a guardian appointed by the will of the child's father or mother, and
- (b) a guardian appointed or declared by a court; and”.

4. *Amendment of section 11.*—In section 11 of the principal Act, in clause (vi), after the words “from the family of its birth”, the words “or in the case of an abandoned child or a child whose parentage is not known, from the place or family where it has been brought up” shall be inserted.

Assented to on 29-11-1962

THE METAL TOKENS (AMENDMENT) ACT, 1962  
(No. 46 of 1962)

AN  
ACT

further to amend the Metal Tokens Act, 1955.

Be it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Metal Tokens (Amendment) Act, 1962

1

2. *Amendment of section 1.*—For sub-section (2) of section 1 of the Metal Tokens Act, 1889 (1 of 1889) (hereinafter referred to as the principal Act), the following sub-section shall be substituted, namely:—

“(2) It extends to the whole of India.”

3. *Amendment of section 2.*—For section 2 of the principal Act, the following section shall be substituted, namely:—

“2. In this Act “issue” means to put a piece of metal into circulation for the first time for use as money in India, such piece having been made in contravention of this Act or brought into India by sea or by land in contravention of any notification for the time being in force under section 19 of the Sea Customs Act, 1878 (8 of 1878).”

4. *Amendment of section 6.*—In section 6 of the principal Act, for the words “the said territories” wherever they occur, the word “India” shall be substituted.

Assented to on 5-12-1962.

# THE INDIAN TARIFF (AMENDMENT) ACT, 1962

(No. 47 of 1962)

AN

ACT

to amend the Indian Tariff Act, 1934.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Indian Tariff (Amendment) Act, 1962.

(2) It shall come into force on the 1st day of January, 1963.

2. *Amendment of First Schedule.*—In the Indian Tariff Act, 1934 (32 of 1934), in the First Schedule,—

(1) in Item No. 28(20),—

(a) in the third column headed “Nature of duty” for the word “Protective”, wherever it occurs, the word “Revenue” shall be substituted;

(b) for the entries in the fourth column, the entries “50 per cent *ad valorem*” shall be substituted; and

(c) in the last column headed “Duration of protective rates of duty”, the existing entries shall be omitted;

(2) In Items Nos. 60(7), 64(5), 70A, 72(35), 72(36) and 72(37), in the last column headed “Duration of protective rates of duty”, for the word figures and letters “December 31st, 1962” wherever they occur, the word, figures and letters “December 31st 1965” shall be substituted;

(3) in Item No. 64 (3),—

(a) in the second column headed “Name of article”, for the words “Copper rods, other than electrolytic copper rods”, the words “Extruded copper rods and sections other than electrolytic copper rods” shall be substituted; and

(b) in the last column headed “Duration of protective rates of duty” for the words, figures and letters “December 31st, 1962”, wherever they occur, the word, figures and letters “December 31st 1965” shall be substituted;

(4) in Items Nos. 67(2), 68(2), 68(4) and 82(3),—

(a) in the third column headed “Nature of duty” for the word “Protective”, wherever it occurs, the word “Revenue” shall be substituted; and

(b) in the last column headed “Duration of protective rates of duty” the existing entries shall be omitted;

(5) after Item No. 68(2), the following Item shall be inserted, namely:—

“68(2A)	Highly polished zinc sheets for making process blocks.	Protective	35 per cent. <i>ad valorem</i> .	December 31st, 1965”;
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(6) in Item No. 70(5),—

(a) in the second column headed “Name of article”, for the words “Brass rods”, the words “Extruded brass rods and sections”, shall be substituted; and

(b) in the last column headed “Duration of protective rates of duty” for the words, figures and letters “December 31st, 1962”, the word, figures and letters “December 31st, 1965” shall be substituted;

(7) in Item No. 72(32), the words “or zinc” appearing in the second column headed “Name of article” shall be omitted.

Assented to on 5-12-1962.

# THE EMPLOYEES' PROVIDENT FUNDS (AMENDMENT) ACT, 1962

(No. 48 of 1962)

AN

ACT

to amend the Employees' Provident Funds Act, 1952.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Employees' Provident Funds (Amendment) Act, 1962.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Amendment of section 6.*—In sub-section (1) of section 6 of the Employees' Provident Funds Act, 1952 (19 of 1952), in the proviso, for the words “Provided that”, the following shall be substituted, namely:—

“Provided that in its application to any establishment or class of establishments which the Central Government, after making such enquiry as it deems fit, may by notification in the Official Gazette, specify, this sub-section shall be subject to the modification that for the words ‘six and a quarter per cent’, the words ‘eight per cent’ shall be substituted:

Provided further that”.

Assented to on 5-12-1962.

# THE PONDICHERY (ADMINISTRATION) ACT, 1962

(No. 49 of 1962)

AN

ACT

to provide for the administration of Pondicherry and for matters connected therewith.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Pondicherry (Administration) Act, 1962.

(2) It extends to the whole of Pondicherry.

(3) It shall be deemed to have come into force on the 16th day of August, 1962.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “Administrator” means the Administrator of Pondicherry appointed by the President under article 239 of the Constitution;

(b) “appointed day” means the 16th day of August, 1962, being the date of entry into force of the Treaty of Cession;

(c) “former French Establishments” means the territories which immediately before the appointed day were comprised in the French Establishments in India known as Pondicherry, Karikal, Mahe and Yanam;

(d) “High Court” means the High Court at Madras;

(e) “Law” means any Act, Ordinance Regulation, rule, order, bye-law, decree or other provision (by whatever name called) having the force of law;

(f) “Pondicherry” means the Union territory comprises the territories of the French Establishments;

(g) “Treaty of Cession” means the treaty concluded between France and India on the 28th day of May, 1956, establishing the cession of the French Establishments by France to India in all full sovereignty.

3. *Officers and functionaries in relation to Pondicherry.*—Without prejudice to the powers of the Central Government to appoint from time to time such officers and authorities as may be necessary for the administration of Pondicherry, all courts, tribunals, authorities and officers, whether in India or in the former French Establishments, who immediately before the appointed day, were exercising lawful functions in connection with the administration of those Establishments or any part thereof, including the Council of Government and the Representative Assembly, shall unless otherwise directed at any time by the Central Government or the Administrator in relation to any such court, tribunal, authority or officer, or until other provision is made by law, continue to exercise in connection with the administration of Pondicherry their respective powers and jurisdiction and perform their respective duties and functions in the same manner and to the same extent as before the appointed day with such altered designation, if any, as that Government may determine.

4. *Continuance of existing laws and their adaptation.*—(1) All laws in force immediately before the appointed day in the former French Establishments or any part thereof shall continue to be in force in Pondicherry until amended or repealed by a competent Legislature or other competent authority:

Provided that references in any such law to the President or Government of the French Republic shall be construed as references to the Central Government, references to the Governor of the French Establishments in India, to the Commissioner of the Republic for the French Establishments in India, to the Chief Commissioner for the French Establishments, to the Chief Commissioner of the State of Pondicherry or to the Chief Commissioner, Pondicherry shall be construed as references to the Administrator of Pondicherry and references to the State of Pondicherry shall be construed as references to Pondicherry.

(2) For the purpose of facilitating the application of any such law in relation to the administration of Pondicherry and for the purpose of bringing the provisions of any such law into accord with the provisions of the Constitution, the Central Government may, within three years from the appointed day, by order, make such adaptations and modifications, whether by way of repeal or amendment, as may be necessary or expedient and thereupon every such law shall have effect subject to the adaptations and modifications so made.

5. *Property and assets.*—For the avoidance of doubt, it is hereby declared that all property and assets within Pondicherry which, immediately before the appointed day, vested in the Government of the French Republic shall, save as otherwise expressly provided in the Treaty of Cession, vest in the Union.

6. *Rights and obligations.*—Subject to the provisions of the Treaty of Cession, all rights, liabilities and obligations of the Government of the French Republic in relation to or arising out of the administration of the former French Establishments shall, as from the appointed day, be the rights, liabilities and obligation of the Central Government.

7. *Continuance of existing taxes.*—All taxes, duties, cesses and fees which, immediately before the appointed day, were being lawfully levied in the former French Establishments or any part thereof shall continue to be levied in Pondicherry and to be applied to the same purposes, until other provision is made by a competent Legislature or other competent authority.

8. *Power to extend enactments to Pondicherry.*—The Central Government may, by notification in the Official Gazette, extend with such restrictions and modifications as it thinks fit, to Pondicherry any enactment which is in force in a State at the date of the notification.

9. *Extension of the jurisdiction of Madras High Court to Pondicherry.*—As from the 6th day of November, 1962, the jurisdiction of the High Court shall extend to Pondicherry.

10. *Jurisdiction of High Court.*—(1) without prejudice to the generality of the provisions of section 9, the High Court shall have, in respect of Pondicherry, all such jurisdiction as under the law in force immediately before the appointed day was exercisable in respect of the former French Establishments by the Cour de Cassation, the Cour Supérieur d' Arbitrage and the Conseil d' Etat of France:

Provided that while determining appeals from decisions of Courts and tribunals in Pondicherry, the High Court shall, as far as may be, follow the same procedure and have the same power to pass any judgment, decree or order thereon, as it follows, and has while determining appeals from decisions of Courts in the State of Madras.

(2) All appeals and other proceedings from or in respect of any judgment, decree or order of any Court or tribunal in the former French Establishments pending immediately before the appointed day before the Cour de Cassation or the Cour Supérieur d' Arbitrage or the Conseil d' Etat of France and all original proceedings in relation to those Establishments pending immediately before the appointed day before the Conseil d' Etat shall, by virtue of this Act, stand transferred to the High Court and shall be disposed of by the High Court in the exercise of jurisdiction conferred on it by this Act, as if such appeals and other proceedings had been filed before the High Court.

*Explanation.*—All appeals and other proceedings filed before the appointed day but not transmitted to the Cour de Cassation or the Cour Supérieur d' Arbitrage or the Conseil d' Etat shall be deemed to be appeals or proceedings, as the case may be, pending before that Court for the purposes of this sub-section.

11. *Advocates entitled to practise before High Court.*—Notwithstanding anything contained in the Advocates Act, 1961 (25 of 1961), but subject to such rules as may be framed by the High Court, any person who is entitled to practise before the Tribunal Supérieur d' Appel at Pondicherry shall be recognised as an advocate entitled to practise in the High Court in relation to cases coming before the High Court from Pondicherry.

12. *Power of High Court to make rules.*—The High Court may, from time to time, make rules, consistent with this Act, to provide for all or any of the following matters, namely—

- (a) the translation of any papers filed in the High Court and the preparation of paper books for hearing all appeals and the copying, typing or printing of any such papers or translation and the recovery from the persons at whose

instance or on whose behalf papers are filed of the expenses thereby incurred;

- (b) the court-fees payable for instituting proceedings in the High Court the fees to be charged for processes issued by the High Court or by any officer of the Court and the amount payable in any proceeding in the High Court in respect of fees of the advocate of any party to such proceeding;

- (c) the procedure to be followed in the High Court;

- (d) the approval, admission, enrolment, removal and suspension of advocates from Pondicherry.

13. *Validation of certain orders and decrees.*—(1) Every order or decree purported to have been made by the Cour de Cassation, the Cour Supérieur d' Arbitrage or the Conseil d' Etat of France during the period commencing on the first day of November, 1954, and ending on the appointed day, in any appeal or other proceeding from, or in respect of any judgment, decree or order of any court, tribunal or other authority in the former French Establishments shall be deemed to have been validly made, in accordance with law; and shall for all purposes have effect as if it were an order or a decree made by the High Court in the exercise of the jurisdiction conferred by this Act.

(2) Notwithstanding anything contained in sub-section (1), where any decision has been rendered after the 17th March, 1960, by any court in France in any case in which the respondent had no opportunity to appear for want of service of summons transmitted through the Administration of the former French Establishments, such decision shall be deemed never to have been rendered and shall be deemed to be pending before the Court by which such decision was rendered and accordingly stand transferred to the High Court or, as the case may be, to the Court in Pondicherry corresponding to the Court in France in which the case shall be deemed to be pending.

(3) As soon as may be after the 6th day of November, 1962, the Administrator shall transmit to the High Court or, as the case may be, to the corresponding court, the record of every such case as is referred to in sub-section (2), together with a certificate that the summons in that case was not served on the respondent.

14. *Limitation for appeals.*—(1) The periods of limitation for appeals to the High Court shall be as set out below:—

Serial No.	Description of appeal	Period of limitation	Time from which period begins to run
1.	Civil Appeal against any judgment or order.	90 days	The date of the judgment or order.
2.	Criminal Appeal against a sentence of death.	7 days	The date of sentence
3.	Criminal Appeal against any sentence or order other than a sentence of death.	30 days	The date of the sentence, order.
4.	Criminal Appeal against an order of acquittal.	90 days	The date of the order of acquittal.
5.	Labour Appeal under section 207 of the French Labour Code, 1952.	30 days	The date of the judgment or order.
6.	Labour Appeal under section 216 of the French Labour Code, 1952.	30 days	The date on which the report and the recommendation of the expert are communicated to the party appealing.
7.	Appeal against a judgment or order of the Administrative Tribunal at Pondicherry.	90 days	The date of the judgment or order.

(2) Except in the case of a Criminal Appeal against a sentence of death, in computing the period of limitation, the time taken for obtaining a certified copy of the judgment, order, report and recommendation, appealed against, as the case may be, shall be excluded.

(3) In the case of an appeal preferred by an accused person under sentence and in custody, the date on which he lodges the memorandum of appeal with the Superintendent of the Jail in which he is detained shall be deemed to be the date of presentation of the appeal in the High Court.

(4) Any appeal may be admitted after the period of limitation prescribed therefor when the appellant satisfies the Court that he had sufficient cause for not preferring the appeal within such period.

15. *Saving of limitation in certain cases.*—In computing the period of limitation under section 14 or under any other law, any period during which an appeal could not be filed or a proceeding could not be instituted because the jurisdiction of the High Court did not extend to Pondicherry shall be excluded.

16. *Rule of construction.*—References in any law in force in Pondicherry to the Cour de Cassation, the Cour Supérieur d' Arb:



trage or the Conseil d'Etat shall be construed as references to the High Court.

17. *Power to construe laws.*—For the purpose of facilitating the application of any law in relation to Pondicherry, any court or other authority may construe any such law in such manner not affecting the substance, as may be necessary or proper to adapt it to the matter before the court or other authority.

18. *Effect of other laws.*—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law in force in Pondicherry.

19. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make any such provisions as appear to it to be necessary or expedient for removing the difficulty.

(2) Any order under sub-section (1) may be made so as to be retrospective to any date not earlier than the appointed day.

20. *Repeal and saving.*—(1) The Pondicherry (Administration) Ordinance, 1962 (8 of 1962) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.

Assented to on 7-12-1962.

## THE PETROLEUM PIPELINES (ACQUISITION OF RIGHT OF USER IN LAND) ACT, 1962

(ACT No. 50 OF 1962)

AN

ACT

to provide for the acquisition of right of user in land for laying petroleum pipelines and for matters connected therewith.

BE it enacted by Parliament in the Thirteenth Year of the Republic of India as follows:—

1. *Short title, extent and application.*—(1) This Act may be called the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It applies in the first instance to the whole of the States of West Bengal, Bihar, Uttar Pradesh and Gujarat and the Union territory of Delhi; and the Central Government may, by notification in the Official Gazette, declare that this Act shall also apply to such other State or Union territory and with effect from such date as may be specified in that notification and thereupon the provisions of this Act shall apply to that State or Union territory accordingly.

2. *Definitions.* In this Act, unless the context otherwise requires,—

(a) "competent authority" means any person or authority authorised by the Central Government, by notification in the Official Gazette, to perform the functions of the competent authority under this Act;

(b) "corporation" means any body corporate established under any central Provincial or State Act, and includes—

(i) a company formed and registered under the Companies Act, 1956 (1 of 1956); and

(ii) a company formed and registered under any law relating to companies formerly in force in any part of India;

(c) "petroleum" has the same meaning as in the Petroleum Act, 1934 (30 of 1934) and includes natural gas and refinery gas;

(d) "prescribed" means prescribed by rules made under this Act.

3. *Publication of notification for acquisition.*—(1) Whenever it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from one locality to another locality pipelines may be laid by that Government or by any State Government or a corporation and that for the purpose of laying such pipelines it is necessary to acquire the right of user in any land under which such pipelines may be laid, it may, by notification in the Official Gazette, declare its intention to acquire the right of user therein.

(2) Every notification under sub-section (1) shall give a brief description of the land.

(3) The competent authority shall cause the substance of the notification to be published at such places and in such manner as may be prescribed.

4. *Power to enter, survey, etc.*—On the issue of a notification under sub-section (1) of section 3, it shall be lawful for any person authorised by the Central Government or by the State Government or the corporation which proposes to lay pipelines for transporting petroleum, and his servants and workmen—

- to enter upon and survey and take levels of any land specified in the notification;
- to dig or bore into the sub-soil;
- to set out the intended line of work;
- to mark such levels, boundaries and line by placing marks and cutting trenches;
- where otherwise survey cannot be completed and levels taken and the boundaries and line marked, to cut down and clear away any part of any standing crop, fence or jungle; and
- to do all other acts necessary to ascertain whether pipelines can be laid under the land;

Provided that while exercising any power under this section, such person or any servant or workman of such person shall cause as little damage or injury as possible to such land.

5. *Hearing of objections.*—(1) Any person interested in the land may, within twenty-one days from the date of the notification under sub-section (1) of section 3, object to the laying of the pipelines under the land.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing and shall set out the grounds thereof and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and may, after hearing all such objections and after making such further inquiry, if any, as that authority thinks necessary, by order either allow or disallow the objections.

(3) Any order made by the competent authority under sub-section (2) shall be final.

6. *Declaration of acquisition of right of user.*—(1) Where no objections under sub-section (1) of section 5 have been made to the competent authority within the period specified therein or where the competent authority has disallowed the objections under sub-section (2) of that section, that authority shall as soon as may be, submit a report accordingly to the Central Government and upon receipt of such report the Central Government shall declare, by notification in the Official Gazette, that the right of user in the land for laying the pipelines should be acquired.

(2) On the publication of the declaration under sub-section (1), the right of user in the land shall vest absolutely in the Central Government free from all encumbrances.

(3) Where in respect of any land, a notification has been issued under sub-section (1) of section 3 but no declaration under this section has been published within a period of one year from the date of that notification, that notification shall cease to have effect on the expiration of that period.

(4) Notwithstanding anything contained in sub-section (2), the Central Government may, on such terms and conditions as it may think fit to impose, direct by order in writing, that the right of user in the land for laying the pipelines shall, instead of vesting in the Central Government vest, either on the date of publication of the declaration or, on such other date as may be specified in the direction, in the State Government or the corporation proposing to lay the pipelines and thereupon the right of such user in the land shall, subject to the terms and conditions so imposed, vest in that State Government or corporation, as the case may be, free from all encumbrances.

7. *Central Government or State Government or corporation to lay pipelines.*—(1) Where the right of user in any land has vested in the Central Government or in any State Government or corporation under section 6—

- it shall be lawful for any person authorised by the Central Government or such State Government or corporation, as the case may be, and his servants and workmen to enter upon the land and lay pipelines or to do any other act necessary for the laying of pipelines;

Provided that no pipeline shall be laid under—

- any land which, immediately before the date of the notification under sub-section (1) of section 3, was used for residential purposes;
- any land on which there stands any permanent structure which was in existence immediately before the said date;
- any land which is appurtenant to a dwelling house; or
- any land at a depth which is less than one metre from the surface; and

(ii) such land shall be used only for laying the pipelines and for maintaining, examining, repairing, altering or removing any such pipelines or for doing any other act necessary for any of the aforesaid purposes or for the utilisation of such pipelines.

(2) If any dispute arises with regard to any matter referred to in paragraph (b) or paragraph (c) of the proviso to clause (i) of sub-section (1), the dispute shall be referred to the competent authority whose decision thereon shall be final.

8. *Power to enter land for inspection, etc.*—For maintaining, examining, repairing, altering or removing any pipeline, or for doing any other act necessary for the utilisation of the pipelines or for the making of any inspection or measurement for any of the aforesaid



purposes, any person authorised in this behalf by the Central Government, the State Government or the corporation, as the case may be, may, after giving reasonable notice to the occupier of the land under which the pipeline has been laid, enter therein with such workmen and assistants as may be necessary:

Provided that, where such person is satisfied that an emergency exists, no such notice shall be necessary:

Provided further that, while exercising any powers under this section, such person or any workman or assistant of such person, shall cause as little damage or injury as possible to such land.

9. *Restrictions regarding the use of land.*—(1) The owner or occupier of the land with respect to which a declaration has been made under sub-section (1) of section 6, shall be entitled to use the land for the purpose for which such land was put to use immediately before the date of the notification under sub-section (1) of section 3:

Provided that, such owner or occupier shall not after the declaration under sub-section (1) of section 6—

- (i) construct any building or any other structure;
- (ii) construct or excavate any tank, well, reservoir or dam; or
- (iii) plant any tree,

on that land.

(2) The owner or occupier of the land under which any pipeline has been laid shall not do any act or permit any act to be done which will or is likely to cause any damage in any manner whatsoever to the pipeline.

10. *Compensation.*—(1) Where in the exercise of the powers conferred by section 4, section 7 or section 8 by any person, any damage, loss or injury is sustained by any person interested in the land under which the pipeline is proposed to be, or is being, or has been laid, the Central Government, the State Government or the corporation, as the case may be, shall be liable to pay compensation to such person for such damage, loss or injury, the amount of which shall be determined by the competent authority in the first instance.

(2) If the amount of compensation determined by the competent authority under sub-section (1) is not acceptable to either of the parties, the amount of compensation shall, on application by either of the parties to the District Judge within the limits of whose jurisdiction the land or any part thereof is situated, be determined by that District Judge.

(3) The competent authority or the District Judge while determining the compensation under sub-section (1) or sub-section (2), as the case may be, shall have due regard to the damage or loss sustained by any person interested in the land by reason of—

- (i) the removal of trees or standing crops, if any, on the land while exercising the powers under section 4 section 7 or section 8;
- (ii) the temporary severance of the land under which the pipeline has been laid from other lands belonging to, or in the occupation of, such person; or
- (iii) any injury to any other property, whether movable or immovable, or the earnings of such persons caused in any other manner:

Provided that in determining the compensation no account shall be taken of any structure or other improvement made in the land after the date of the notification under sub-section (1) of section 3.

(4) Where the right of user of any land has vested in the Central Government, the State Government or the corporation, the Central Government, the State Government or the corporation, as the case may be, shall, in addition to the compensation, if any, payable under sub-section (1), be liable to pay to the owner and to any other person whose right of enjoyment in that land has been affected in any manner whatsoever by reason of such vesting, compensation calculated at ten per cent of the market value of that land on the date of the notification under sub-section (1) of section 3.

(5) The market value of the land on the said date shall be determined by the competent authority and if the value so determined by that authority is not acceptable to either of the parties, it shall, on application by either of the parties to the District Judge referred to in sub-section (2), be determined by that District Judge.

(6) The decision of the District Judge under sub-section (2) or sub-section (5) shall be final.

11. *Deposit and payment of compensation.*—(1) The amount of compensation determined under section 10 shall be deposited by the Central Government, the State Government or the corporation, as the case may be, with the competent authority within such time and in such manner as may be prescribed.

(2) If the amount of compensation is not deposited within the time prescribed under sub-section (1), the Central Government, the State Government or the corporation, as the case may be, shall be liable to pay interest thereon at the rate of six per cent per annum from the date on which the compensation had to be deposited till the date of the actual deposit.

(3) As soon as may be after the compensation has been deposited under sub-section (1) the competent authority shall, on behalf of the

Central Government, the State Government or the corporation, as the case may be, pay the compensation to the persons entitled thereto.

(4) Where several persons claim to be interested in the amount of compensation deposited under sub-section (1), the competent authority shall determine the persons who in its opinion are entitled to receive the compensation and the amount payable to each of them.

(5) If any dispute arises as to the apportionment of the compensation or any part thereof or as to the persons to whom the same or any part thereof is payable, the competent authority shall refer the dispute to the decision of the District Judge within the limits of whose jurisdiction the land or any part thereof is situated and the decision of the District Judge thereon shall be final.

12. *Competent authority to have certain powers of civil courts.*—The competent authority shall have, for the purposes of this Act, all the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908 (4 of 1908), in respect of the following matters, namely:—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any document
- (c) reception of evidence on affidavits;
- (d) requisitioning any public record from any court or office
- (e) issuing commission for examination of witnesses.

13. *Protection of action taken in good faith.*—(1) No suit, prosecution or other legal proceeding shall lie against any person for any thing which is in good faith done or intended to be done in pursuance of this Act or any rule or notification made or issued thereunder.

(2) No suit or other legal proceeding shall lie against the Central Government, the competent authority or any State Government or corporation for any damage, loss or injury caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or any rule or notification made or issued thereunder.

14. *Bar of jurisdiction of civil courts.*—Save as otherwise expressly provided in this Act, no civil court shall have jurisdiction in respect of any matter which the competent authority is empowered by or under this Act to determine and no injunction shall be granted by any court or other authority in respect of any action taken or proposed to be taken in pursuance of any power conferred by or under this Act.

15. *Penalty.*—(1) Whoever wilfully obstructs any person in doing any of the acts authorised by section 4 or section 7 or section 8 or wilfully fills up, destroys, damages or displaces any trench or mark made under section 4 or wilfully does any act prohibited under section 9, shall be punishable with imprisonment which may extend to six months or with fine or with both.

(2) Whoever wilfully removes, displaces, damages or destroys any pipeline laid under section 7, shall be punishable with rigorous imprisonment for a term which shall not be less than one year, but which may extend to three years and shall also be liable to fine.

16. *Certain offence to be cognizable.*—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898), an offence falling under sub-section (2) of section 15 shall be deemed to be cognizable within the meaning of that Code.

17. *Power to make rules.*—(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:—

- (a) the places at which and the manner in which the substance of the notification may be published under sub-section (3) of section 3;
- (b) the time within which and the manner in which the amount of compensation may be deposited under sub-section (1) of section 11.

(3) Every rule made under this Act shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if before the expiry of the session in which it is so laid or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

18. *Application of other laws not barred.*—The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force relating to acquisition of land.

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भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं  
तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

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शून्य

अनुसूचक

(देखिये पृष्ठ 1167 से 1171)

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**Daily Rainfall recorded at 72 Raingauge Stations in Himachal Pradesh for the  
month of April, 1968**

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## DAILY RAINFALL RECORDED IN HIMACHAL

District and Station	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	17th	18th	19th
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
<b>Bilaspur:</b>																			
Bilaspur Sadar	..	—	—	—	—	—	—	—	—	—	—	—	—	—	11.4	—	—	—	—
Ghumarwin	..	—	—	—	—	—	—	—	—	—	—	—	—	—	5.2	—	—	—	—
Raghnathpura	..	—	—	—	—	—	—	—	—	—	—	—	—	—	6.0	—	—	—	—
Bilaspur Obs.	..	—	—	—	—	—	—	—	—	—	—	—	—	—	15.0	—	—	—	—
<b>Chamba:</b>																			
Chamba	..	R	10.0	—	—	R	—	—	R	—	—	—	10.0	28.0	R	2.0	—	—	—
Ludra*	..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Chhatrari	..	12.7	—	—	—	—	—	—	—	—	—	—	2.0	31.8	—	—	—	—	—
Bhandal	..	—	8.0	—	—	—	—	—	—	3.0	—	—	4.8	—	42.0	7.0	—	—	—
Chowari	..	10.3	—	—	—	—	R	R	R	—	—	—	5.5	7.2	R	—	—	—	—
Bathri	..	3.0	—	—	—	—	—	—	—	—	—	1.5	16.0	6.0	1.5	—	—	—	—
Kalatop	..	—	—	—	—	—	—	—	—	—	—	—	4.0	19.0	10.0	—	—	—	—
Bharmour	..	—	—	25.0	—	—	—	—	—	2.0	—	—	—	5.0	—	—	—	—	—
Tissa	..	11.4	—	—	—	—	—	—	—	5.8	—	—	—	13.5	24.6	1.8	—	—	—
Bhanota	..	—	13.2	—	—	—	—	—	—	—	—	—	—	17.8	15.2	5.1	—	—	—
Kilar	..	—	—	—	—	50.8	25.4	25.4	25.4	50.8	—	—	—	50.8	—	25.4	—	—	—
<b>Kangra:</b>																			
Palampur	..	—	5.0	—	—	—	—	—	—	—	—	—	—	—	26.0	2.0	—	—	—
Hamirpur	..	—	—	—	—	—	—	—	—	—	—	—	—	—	0.1	—	—	—	—
Dehra	..	—	—	—	—	—	—	—	—	—	—	—	—	—	12.0	—	—	—	—
Kangra	..	2.2	—	—	—	—	—	—	—	—	—	—	—	—	23.0	2.0	—	—	—
Dharamsala	..	3.0	—	—	—	—	—	—	—	—	—	—	—	—	25.0	3.0	—	—	—
Nurpur	..	6.0	—	—	—	—	—	—	—	—	—	—	—	—	18.0	—	—	—	—
Una	..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
<b>Kulu:</b>																			
Kulu	..	—	9.0	—	—	—	—	—	—	—	—	—	8.0	10.0	9.0	—	—	—	—
Banjar	..	—	14.8	—	—	—	—	—	—	0.7	—	—	5.8	4.1	16.8	0.2	—	—	—
<b>Kinnaur:</b>																			
Kilba	..	—	17.0	—	—	—	—	—	—	7.0	—	—	3.0	3.0	44.0	1.0	—	—	—
Sangla	..	17.8	—	—	—	4.0	—	—	3.0	—	—	—	9.0	6.4	12.0	—	—	—	—
Purbani	..	—	—	—	—	—	—	—	—	1.5	—	—	2.8	4.3	52.2	2.3	—	—	—
Nichar	..	—	14.0	—	—	—	—	—	—	8.0	—	—	5.0	4.0	42.0	8.0	—	—	—
Kalpa	..	—	15.2	—	—	—	3.0	2.7	—	3.3	—	—	5.2	—	27.3	3.0	—	—	—
<b>Lahaul and Spiti:</b>																			
Keylong	..	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.
Kaza	..	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.
<b>Mahasu:</b>																			
Rampur	..	—	15.5	—	—	—	—	—	—	—	—	—	—	—	12.9	13.7	—	—	—
Rohru	..	17.2	—	—	—	—	—	—	—	—	—	—	4.0	28.0	7.4	—	—	—	—
Jubbal	..	—	—	—	—	—	—	—	—	—	—	—	—	—	18.0	25.0	—	—	—
Chopal	..	—	—	—	—	—	—	—	—	—	—	—	8.2	—	3.5	—	—	—	—
Theog	..	3.0	—	—	—	—	—	—	—	—	—	4.0	—	16.0	—	—	—	—	—
Kumarsain	..	—	0.6	—	—	—	0.3	—	—	—	—	—	0.6	—	20.0	—	—	—	—
Junga	..	1.3	—	—	—	—	—	—	—	—	—	—	—	—	6.5	—	—	—	—
Kasumpti	..	—	2.0	—	—	—	—	—	—	—	—	—	1.8	—	20.0	—	—	—	—
Solan	..	—	R	—	R	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Arki	..	—	2.4	—	—	—	—	—	—	—	—	—	—	3.3	—	—	—	—	—
Suni	..	—	5.2	—	—	—	—	—	—	—	—	—	—	14.6	—	—	—	—	—
Kotkhai	..	—	7.8	—	—	—	—	—	—	—	—	—	—	5.6	—	17.6	3.0	—	—
Bashla	..	—	—	—	—	—	—	—	—	—	—	—	—	20.0	—	—	—	—	—
Khadrala	..	—	—	—	—	—	—	—	—	—	—	7.0	—	35.0	—	—	—	—	3.0
Shillaroo	..	—	4.7	—	—	—	—	—	—	—	—	—	—	55.0	17.5	—	—	—	—
Parala	..	—	—	—	—	—	—	—	—	—	—	—	—	—	16.0	—	—	—	—
Kotgarh*	..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Phancho	..	—	8.0	—	—	—	—	2.0	1.0	3.0	10.2	1.0	—	5.0	14.0	46.5	12.6	—	—
Mashobra (Agromet)	..	2.0	—	—	—	—	—	—	—	—	—	—	4.0	—	23.1	—	—	—	—

[illegible]



## DAILY RAINFALL RECORDED IN HIMACHAL

District and Station	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	13th	14th	15th	16th	17th	18th	19th
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
<b>Mandi:</b>																			
Sadar ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	10.0	—	—	—	—
Jogindernagar ..	—	3.6	—	—	—	—	—	—	4.0	—	—	—	2.2	8.0	13.8	1.2	—	—	—
Sarkaghat ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Chachiot* ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sundernagar ..	4.0	—	—	—	—	—	—	—	—	—	—	—	—	25.0	—	—	—	—	—
Karsog ..	—	5.0	—	—	—	—	—	—	—	—	—	—	—	—	20.0	—	—	—	—
Rhangrotu ..	—	2.5	—	—	—	—	—	—	—	—	—	—	1.3	—	21.8	—	—	—	—
Jhungi ..	—	—	—	10.2	—	—	—	—	—	—	—	—	4.2	—	—	—	—	—	—
Janjhli ..	—	—	—	—	—	—	—	—	—	—	—	—	2.0	3.0	1.0	—	—	—	—
Panjain ..	—	—	11.0	—	—	—	—	—	11.0	—	—	—	—	36.0	25.0	—	—	—	—
Kataula ..	—	—	—	—	—	—	—	—	—	—	—	—	—	8.0	—	—	—	—	—
Mandi Obs. ..	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.	N.R.
<b>Simla:</b>																			
Simla ..	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Kandaghat ..	—	6.6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kasauli ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Nagarah ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
<b>Sirmur:</b>																			
Nahan ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Paonta ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Renuka ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Pachhad ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bagthan* ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Dhaura-Kuan ..	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

\*Note.—Raingauges at Chachiot, Ludhiana, Kotgarh and Bagthan are not in order.

PRADESH FOR THE MONTH OF APRIL, 1968

**B. S. GAUTAM,**